

E-FILED - 5/7/09

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

MOBASSA BOYD,)	No. C 08-3005 RMW (PR)
)	
Petitioner,)	ORDER DENYING
)	PETITIONER'S REQUEST FOR
vs.)	APPOINTMENT OF COUNSEL
)	
)	(Docket No. 12)
MATTHEW KRAMER, Warden,)	
)	
Respondent.)	
_____)	

Petitioner, a state parolee proceeding *pro se*, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The petition was denied, judgment was entered against petitioner, and the case was closed on December 9, 2008. The judgment was not appealed. On April 19, 2009, petitioner has sent a letter to the court requesting appointment of counsel. Although the Sixth Amendment's right to counsel does not apply in habeas matters, *see Knaubert v. Goldsmith*, 791 F.2d 722, 728 (9th Cir. 1986), a district court may appoint counsel to represent a habeas petitioner whenever "the court determines that the interests of justice so require and such person is financially unable to obtain representation." 18 U.S.C. 3006A(a)(2)(B). As this case has been closed for more than four months and there is nothing pending, there is no need for appointment of counsel. Accordingly, petitioner's request for appointment of counsel is DENIED.

This order terminates docket no. 12.

1 IT IS SO ORDERED.

2 DATED: 5/6/09

Ronald M. Whyte
RONALD M. WHYTE
United States District Judge